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# Advocate of Peace.

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## The Arbitration Treaties.

The 3d of August, 1911, will always remain a memorable day in the history of the International Peace Movement. On that day unlimited treaties of Arbitration were signed between the United States and Great Britain and the United States and France. This is the first time in history that governments of the first rank have been willing to sign an engagement pledging themselves to submit to impartial arbitration all differences that may arise between them, not excepting those which involve national honor or questions of vital interest.

We do not need to comment here on the admirable lead which President Taft has taken during the past year and a half in preparing the way for these treaties, nor upon the enthusiastic support which he has received and is receiving in ever greater volume from the people of the country; nor again upon the quick and hearty favor with which his proposal was received by the governments of Great Britain and

France. This is all history now—and a very bright page of history.

The treaties were sent immediately to the Senate for approval and referred to the Committee on Foreign Affairs. At the same time the pledge of secrecy was removed and the text of the Anglo-American treaty, which the French treaty substantially follows, was given to the press of the country. The text of the treaty will be found elsewhere in this issue. The Committee, after hearing the explanation of the Secretary of State, promptly reported the treaties back to the Senate, recommending that the third paragraph of article three be stricken out, and that thus amended they be ratified.

The President at once signified his disapproval of the amendment and made appeal to the people of the nation to support the treaties in the original form. This action of the President seems to have been due in part to what he learned during the negotiation of the treaties and to his feeling that it might be difficult, if not impossible, to secure the assent of the foreign governments to the pacts in the new form. He was also led to this course by his belief that the prerogatives of the Senate had been fully and carefully guarded, in every essential respect, in the original draft. A minority of the Committee on Foreign Affairs, consisting of Senators Burton, Cullom and Root, in a report subsequently submitted to the Senate, took the same ground in this regard as the President.

In criticising the course of the Senate Committee, we must do them the justice to recognize that their action, according to the statement made in Mr. Lodge's report, was dictated simply by their desire to preserve the prerogatives of the Senate, and not by hostility to unlimited arbitration. If the treaties could be ratified in the amended form as reported by the Committee and thus accepted by the other powers, we should still have the essential part of the convention, which is the agreement to refer to the Hague Court whatever differences might arise, not excepting questions of national honor and vital interest.

But the Committee's reasons for wishing paragraph three of article three struck out do not seem to us to be of much weight. Let us suppose the treaties ratified as sent in by the President.

1. We observe, first, that the Commission of Inquiry would almost never, possibly never, be called into existence. The President and the Senate, in practically all cases, would have in their hands the entire arrangements for the submission to the Hague these advanced nations it is very improbable that any controversy would ever arise which either of them would consider unarbitrable.

2. If some dispute were found to be, in the view of either of the disputants, not a suitable subject for arbitration, the United States members of the Commission of Inquiry, which would thus have to be appointed, would be chosen by the President with the advice and approval of the Senate.

3. While the Commission was engaged in its investigations it would, in the very necessities of the case, take counsel of the Senate as well as of the President.

4. When the Commission's verdict was made up, it would carry the sanction of at least two out of three of the United States Commissioners, if the decision were in favor of letting the question be arbitrated. The opposition of two of the United States Commissioners would prevent any question from going to arbitration under recommendation of the Commission. Could not the Senate, under these circumstances and such restrictions, trust what would be substantially its own commission? The President would have to do so, for though the initiator of all treaties, he would hold for the time being the same relation to the Commission as the Senate would hold.

5. If the Commission declared that the dispute in question was arbitrable, the whole case would then be turned back into the hands of the President and the Senate, to draw up the special agreement for the submission of the question to the Hague Court.

In all the procedure, therefore, the case would be in the hands of the Senate and the President, the one as much as the other, from the beginning to the end. It is true, of course, that after the Commission had reported the case to be judiciable, neither the Senate nor the President would have the right under the treaty to attempt to prevent its submission; nor ought they to have the right to do so, after the long and careful investigation under their own supervision. If both branches of the treaty-making power are not willing to commit themselves in advance to go as far as is provided in this treaty, then we might as well forever give up talking about a general treaty of arbitration, for the regular judicial settlement of controversies, by a permanent international court of justice.

The treaties are to go over for final action to the regular session of Congress next winter. We hope in the meantime that the Senators who have opposed the ratification of them in the form in which they were presented by the President may be willing to drop their objections and let the treaties be promptly ratified when Congress reassembles in December. By that time the people of the nation will have spoken in no uncertain terms, as we are led to believe from the great number of letters, telegrams, resolutions and memorials which are already pouring in upon the Senate.

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Senator T. E. Burton, President of the American Peace Society, sailed for Europe August 26. He will attend the International Peace Congress, which opens at Rome September 25, and also the Interparliamentary Conference, which opens October 3. A strong delegation of Americans is expected at both gatherings.

## The Berne Conference of Economists on the Problems of War and Peace.

One important branch of the activities of the Carnegie Endowment for International Peace has taken form and shape during the summer, in a successful conference at Berne, Switzerland, under the direction of Professor John Bates Clark, of Columbia University, New York, the Director of the Division of Economics and History. This conference was authorized by the Executive Committee at its meeting on June 8th last, and was in session from August 2 to August 14. It was participated in by seventeen of the leading economists and publicists, representing nine of the European nations and the United States, as follows:

Eugen Böhm Ritter V. Bawerk, Professor of Political Economy at the University of Vienna.

Eugen von Philippovich, Professor of Political Economy in the University of Vienna.

Henri La Fontaine, Senator of Belgium.

Harald Westergaard, Professor of Political Science and Statistics in the University of Copenhagen.

Charles Gide, Professor of Economics in the University of Paris.

Paul Leroy-Beaulieu, Professor of Political Economy at the College de France; Editor of "L'Economiste Français," Paris.

Lujo Brentano, Professor of Economics in the University of Munich.

Theodor Schiemann, Professor of the History of Eastern Europe in the University of Berlin.

Francis W. Hirst, Editor of the "Economist," London.

George Paish, Editor of the "Statist," London.

H. B. Greven, Professor of Political Economy and Diplomatic History in the University of Leyden.

Luigi Luzzatti, Professor of Constitutional Law in the University of Rome; Secretary of the Treasury of Italy, 1891-93; Prime Minister of Italy, 1908-1911.

Maffeo Pantaleoni, Professor of Political Economy in the University of Rome.

Dr. G. Ogawa, Professor of Economics in the University of Kyoto, Japan.

Baron Y. Sakatani, former Minister of State for the Treasury of Japan.

Eugène Borel, Professor of Public Law in the University of Geneva.

Paul S. Reinsch, Professor of Constitutional Law in the University of Wisconsin; Roosevelt Professor at the University of Berlin, 1911-1912, Madison, Wisconsin.

During its sessions, the conference was able to complete a program for a scientific and systematic investigation of the problems of war and peace; including a study into the causes and consequences of war, and of the agencies at work for the preservation of international peace, moral, political and commercial. It will include a careful survey of the armaments of modern times, the military budgets resulting from loans for armaments in preparation for war, and the general and particular effects upon the social and economic life. These studies